



*St Edmundsbury*  
BOROUGH COUNCIL

**DEV/SE/16/040**

# **Development Control Committee**

## **4 May 2016**

**Planning Application: DC/16/0564/FUL**  
**Part of the Bus Station, St. Andrew's Street North,**  
**Bury St. Edmunds**

**Date:** 16 March 2016      **Expiry Date:** 11 May 2016  
**Registered:**

**Case Officer:** Marianna Christian      **Recommendation:** Grant

**Parish:** Bury St Edmunds Town      **Ward:** Risbygate

**Proposal:** Planning Application - Change of use of vacant space (formerly part of bus station waiting area and information desk) to mixed use A1 and A2 (plus each use in the alternative).

**Site:** Part of the Bus Station, St. Andrew's Street North, Bury St. Edmunds, IP33 1TZ

**Applicant:** St. Edmundsbury Borough Council

### **Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

### **Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

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### **Background:**

**This application is presented to the Committee because St. Edmundsbury Borough Council is the applicant.**

**The application has no materially adverse matters arising and is recommended for APPROVAL. However, due to the need to bring this matter before the Committee and due to the timescales for determination, the consultation response deadline does not expire until 28 April 2016 - after the publication of this report but before the Committee meeting.**

**Any further responses received by 28 April will be reported, either in the late papers circulated in advance of the meeting or else verbally at the meeting itself.**

### **Proposal and Site Details:**

1. St Edmundsbury Borough Council is currently refurbishing the Bus Station. The building presently provides a waiting area, public toilets and a refreshment kiosk. The area marked red is a separate unit for letting. Planning permission is sought to change the use of a vacant area within the bus station to A1 / A2 unit (each use in the alternative to the other to offer flexibility on occupation), for subsequent letting.
2. The proposal amounts to 78 square metres of floor space. There are no external changes proposed to the building. Bin storage exists at the site and loading would take place from the existing on street loading bays on St. Andrew's Street North.

### **Planning History:**

3. The site has no planning history that is relevant to the proposal before us for consideration.

### **Consultations:**

4. Highway Authority: For a class use A1/A2 unit of this scale we would expect a vehicle parking provision of up to 4 spaces (in line with Suffolk Guidance for Parking 2015). Given the sustainable, central urban location of the proposal we would accept a reduced number of parking spaces. Please provide a minimum of 2 on-site parking spaces or satisfactory justification that a reliance on public car parks will provide guaranteed long-term parking provision for the proposal.
5. Public Health and Housing: No comments received at the time of writing.

This will be updated in due course.

**Representations:**

6. Bury. St. Edmunds Town Council: No comments received.
7. Representations: No letters of representation have been received. This will be updated in due course.

**Policy:** The following policies have been taken into account in the consideration of this application:

8. St Edmundsbury Core Strategy December 2010:
  - Policy CS3 – Sustainable development
9. Forest Heath and St Edmundsbury Joint Development Management Document February 2015:
  - DM1 Presumption in favour of sustainable development
  - DM2 Creating Places – Development Principles and Local Distinctiveness
  - Policy DM35: Proposals for Main Town Centre Uses
  - Policy DM38: Shop Fronts and Advertisements

**Other Planning Policy:**

10. National Planning Policy Framework (2012)

**Officer Comment:**

11. The issues to be considered in the determination of the application are:
  - Principle of Development
  - Highway Safety
  - Other Matters

Principle of Development

12. The site is located within the designated Town Centre and immediately adjacent to, but not within, the Primary Shopping Area. Policy DM35 states that within the town centres, as defined on the policies maps, support will be given, subject to compliance with other policies, to proposals for main town centre uses such as the following:
  - i. shopping (Use Class A1);
  - ii. financial and professional services (A2).
13. The site seeks to use a presently vacant and otherwise underused part of the bus station. There is no evidence to suggest that it will affect the operational effectiveness of the bus station in any way. The use for either A1 or A2 purposes in the alternative draws the same Policy support from DM35 and a proposal sought in such a way is therefore wholly

unobjectionable.

14. In these circumstances it is considered that the principle of development can be readily supported. The intrinsic economic benefit arising from the proposal plus the wider benefit overall to the town centre must also be taken as being matters which offer support for approval.

#### Highway Safety

15. Suffolk County Council as Highway Authority has made comments on the proposal. The Highway Authority is seeking either two spaces on site or else *'satisfactory justification that a reliance on public car parks will provide guaranteed long-term parking provision for the proposal'*.
16. Officers' thoughts on this are that provision on site in this constrained town centre location is plainly not appropriate or achievable, as it would not be on the vast majority of other such uses elsewhere in the town centre. This leaves consideration that public car parks can be utilised satisfactorily.
17. Officers consider that it is important to be mindful of context. This is not a substantially scaled proposal, utilising existing vacant floor area. It is only accessible through the bus station concourse, not directly from St. Andrew's Street. It is also located wholly within the designated town centre and obviously close to the bus station, where it can reasonably be anticipated that the use will draw a potentially notable degree of passing trade from, particularly noting the access arrangement solely through the concourse.
18. Given these factors, officers consider in this circumstance that reliance on public car parks and shoppers using alternative means of transport, including buses, to access this site can quite reasonably be assumed. It is noted that Suffolk County Council have not formally objected and, in any event, and balancing all matters, officers would not consider that such a refusal could be justified noting the support that must be offered balanced against the manifest lack, when assessed objectively, of any harm arising.

#### Other Matters

19. The proposal does not include any physical adaptations to the building so the impact upon character and appearance will be neutral. Any signage necessary will either have deemed consent or else will require future control so is not relevant at this stage.
20. It is not anticipated that there will be significant amenity implications arising from the operation of either A1 or A2 uses from these premises given the nature of the uses and given the generally busy town centre context, including the adjacent bus station. However, there are residential dwellings within the vicinity so a light touch degree of control is necessary. Officers have agreed with the applicant that the premises shall not be open outside 07:00 – 21:00 hours on any day. Officers consider this to strike a reasonable balance between allowing flexibility to any

occupier whilst also retaining a sufficient degree of control in the interests of residential amenity.

21. It will be necessary to ensure that the bin storage area shown on the plans is provided and retained, and a condition is therefore proposed.
22. The impacts arising from either A1 or A2 are not considered materially distinct in this circumstance and context.

### **Conclusion**

23. The application is therefore considered to comply with policies contained within the Forest Heath and St Edmundsbury Joint Development Management Document February 2015, the St Edmundsbury Core Strategy December 2010 and the National Planning Policy Framework 2012.

### **Recommendation:**

It is **RECOMMENDED** that planning permissions be **Granted** subject to the following conditions:

1. Time limit of three years for implementation.
2. Proposal to be A1 or A2 in the alternative.
3. Hours of opening limited to between 07:00 and 21:00 on any day.
4. Bin storage area to be provided before first use and thereafter retained.

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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